



City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
Bob Kelly, Mayor Pro Tem
Burt Ballanfant, Councilmember
Brennan Reilly, Councilmember
Mardi Turner, Councilmember

STAFF

M. Christopher Peifer, City Manager
Alan Petrov, City Attorney
Thelma Gilliam, City Secretary

City Council Meeting Agenda

Notice is hereby given of a regular meeting of the City Council of West University Place to be held on **Monday, March 13, 2017** beginning at **6:30 p.m.** in the **Municipal Building** located at 3800 University Boulevard, West University Place, Texas, for the purpose of considering the following agenda items.

Note: All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

Agenda items are as follows:

Call to Order
Pledge of Allegiance
Matters related to the notice of this meeting

1. Public Comments

This is an opportunity for citizens to speak to Council relating to agenda and non-agenda items. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer his/her comments until such time the item is discussed. Speakers are advised that comments cannot be received on matters which are the subject of a public hearing once the hearing has been closed. Public comments must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. Speakers are required to register in advance and must limit their presentations to three minutes each.

2. City Manager Appointments

Matters related to the introduction and confirmation of the City Manager appointments of Parks and Recreation Director Susan White and Finance Director Marie Kalka. *Recommended Action: Confirm appointments. Mr. M. Chris Peifer, City Manager*

3. Various Proposed Zoning Ordinance Amendments

Matters related to an ordinance adopting amendments to the Zoning Ordinance regarding building site designations; the definition of school use; curb cuts; and through lots. *Recommended Action: Adopt ordinance on the second and final reading. Ms. Dave Beach, Public Works Director* [see Agenda Memo 3]

4. **Proposed Zoning Ordinance Amendment Relating to Town Center Parking**

Matters related to an ordinance adopting amendments to the Zoning Ordinance as it relates to the minimum number of parking spaces required in the Town Center Commercial District. *Recommended Action: Adopt ordinance on the second and final reading. Mr. Dave Beach, Public Works Director* [see Agenda Memo 4]

5. **Budget Reserves Policies**

Matters related to City policies regarding budget reserves. *Recommended Action: Discuss and take any desired action. Ms. Claire Bogard, Interim Finance Director* [see Agenda Memo 5]

6. **Future Agenda Items**

Matters related to future agenda items. *Recommended Action: Discuss and take any desired action. City Council* [see Future Agenda Items List]

7. **Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. **City Council Minutes**

Approve City Council Minutes of February 27, 2017. *Recommended Action: Approve Minutes. Ms. Thelma Gilliam, City Secretary*

B. **Colonial Park Concessions Agreement**


Matters related to discussion of a concessionaire at Colonial Park and authorizing the City Manager to execute a contract for concession services. *Recommended Action: Approve the concessionaire and authorize the City Manager to execute the contract between the City and Prince's Hamburgers for the 2017 season. Ms. Susan White, Parks and Recreation Director* [see Agenda Memo 6]

8. **Adjourn**

In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Thelma Gilliam at 713.662.5813 at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area. Special seating will be provided.

I certify that the attached amended notice and agenda of items to be considered by the West University Place City Council on March 13, 2017 was posted on the Municipal Building bulletin board on March 10, 2017 at approximately 11:15 o'clock a.m.

(SEAL)


Thelma A. Gilliam, City Secretary

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF WEST UNIVERSITY PLACE, TEXAS

AGENDA OF:	March 13, 2017	AGENDA ITEM:	3
DATE SUBMITTED:	March 1, 2017	DEPARTMENT:	Public Works
PREPARED BY:	D. Scarcella, City Planner	PRESENTER:	D. Beach, Public Works Director
SUBJECT:	Second and final Reading of an Ordinance Regarding Building Site Designations, Curb Cuts, Definition of School and Through Lots		
ATTACHMENTS:	Proposed Ordinance		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:	N/A		
ACCOUNT NO.:	N/A		
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
ACCOUNT NO.:	N/A		

EXECUTIVE SUMMARY

After completing a periodic review of City ordinances, staff asked the Zoning and Planning Commission to consider possible amendments to the following sections of several ordinances which needed to be updated:

1. **Definition of School** – Define school to include test preparation and alternative school establishments and provide a time to comply for existing entities.
2. **Through Lots in a Commercial Zoning District** – Require that a through lot in a commercial zoning district observe that front building line at both frontages unless there are no building sites facing the second frontage.
3. **Recording of Building Site Designations and Divisions of Combined Building Sites** – Require that all combination and divisions of building sites be recorded in the Harris County Real Property Records and allow for building sites that have been legally platted and then combined with another building site, can be divided if the original platted property lines are followed.
4. **Approval of Certain Curb Cuts** – Allows for staff approval of a third curb cut on a second street frontage if there are no conflicts with trees, drainage or water and sewer.

A joint public hearing between City Council and the Zoning Planning Commission was held on February 13, 2017 and a final report on the subjects was approved at the regular meeting of the Zoning and Planning Commission held on February 16, 2017. During the first reading of the ordinance held on February 27, 2017, City Council asked to change the date of the deadline of the sunset provision to May 31, 2022 to coincide with the end of the school year.

RECOMMENDATION

The Zoning and Planning Commission and staff recommend the City Council approve the ordinance upon second and final reading.

**City of West University Place
Harris County, Texas**

Ordinance No. XXXX

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS REGARDING BY MODIFYING THE ZONING REGULATIONS AND ADDING PROVISIONS REGARDING THE DEFINITION OF SCHOOL; THROUGH LOTS IN A COMMERCIAL ZONING DISTRICT; RECORDING OF BUILDING SITE DESIGNATIONS AND DIVISIONS OF COMBINED BUILDING SITES; AND APPROVAL OF CERTAIN CURB CUTS; AND CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECTS.

WHEREAS, the City Council and the Zoning and Planning Commission ("Z&PC") of the City of West University Place, Texas ("City") have held a joint public hearing on a proposal to amend the Zoning Ordinance of the City, as last re-formatted and re-adopted by Ordinance No. 1672, adopted March 12, 2001, and as subsequently amended ("Zoning Ordinance");

WHEREAS, the Z&PC has made a final report to the City Council with respect to such proposal, which report is attached as Exhibit A and made a part of this ordinance; and

WHEREAS, the City Council has considered the report of the Z&PC as well as the City's Comprehensive Plan, and City Council formally approves and adopts the report of the Z&PC; and

WHEREAS, all notices, hearings and procedures relating to amending the Zoning Ordinance, as may be required by law, the City Charter or the Zoning Ordinance, have been duly given, held and followed, and the City Council has jurisdiction to amend the Zoning Ordinance as provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE:

Section 1. The City Council officially finds, determines, declares and adopts all of the matters set out in the preamble of this ordinance, and the Zoning Ordinance is hereby amended as recommended by the Z&PC, according to the Z&PC's final report in Exhibit A, which is attached and made a part of this ordinance for all purposes.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 3. If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances, shall be affected thereby.

Section 4. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof. The City Council officially finds, determines and declares that sufficient notices of the joint public hearing were given, and the City Council ratifies, approves and confirms such notices, including the contents and the method in which they were given.

Section 5. This ordinance shall become effective on the tenth day following its publication, as provided in the City Charter.

CONSIDERED, PASSED, AND APPROVED on first reading on February 27, 2017.

CONSIDERED, PASSED, AND APPROVED on second reading, **AND SIGNED**, on _____, 20____.

(SEAL)

Attest: _____
City Secretary

Signed: _____
Mayor

Recommended:

City Manager

Approved as to legal form:

City Attorney

Exhibit A

Zoning & Planning Commission

City of West University Place, Texas
3800 University Boulevard
West University Place, Texas 77005

February 16, 2017

Honorable Mayor & Members of the City Council
City of West University Place
3808 University Boulevard
Houston, Texas 77005

Subject: Final report on a proposal to amend the Zoning Ordinance of the City of West University Place, Texas ("City") relating to the approval of a certain number of curb cuts and driveways in the front yard and public right of ways; the definition of school and a 5 year sunset provision; through lots in a commercial zoning district; recording of certain building sites and the division of said sites in the real property records of Harris County.

To the Honorable Mayor & Members of City Council:

The Zoning & Planning Commission of the City submits this final report on the subject proposal, for the assistance of the Council as well as other interested persons.

Scope of Proposal. The purpose of this proposal is to 1) clarify the definition of school, other than a public school so that those schools with higher density and use will be properly approved in the correct zoning districts, and provide a 5 year sunset provision for existing uses; 2) Include commercial sites in the application of the requirements for through lots where applicable; 3) authorize staff to approve a third curb cut for those building sites on a corner site that meet the appropriate criteria in the zoning ordinance and Chapter 70 of the Code of Ordinances; and, 4) clarify that building sites that were combined and have not changed boundary lines can divide and become two separate building sites with approval of the ZPC and providing for the recording of this action within the property records of Harris County.

Public Hearing. A public hearing with members of City Council was held on February 13, 2017 where members of the public were encouraged to make commentary regarding the proposals.

Recommendation. Based on the review given this proposal so far, the Commission: (i) finds that the proposal, if adopted, would be in the public interest and consistent with the Comprehensive Plan, (ii) finds that the proposal reasonably addresses circumstances which have arisen since the last comprehensive revision of the zoning ordinance, (iii) makes its final recommendation favorable to the proposal, and (iv) recommends that City Council adopt the proposal.

The Vote. The vote on approval of this report was as follows: Wilson, McEnany, Kuykendall, Tsai, Cutrer, Jensen, and Higley voted "Aye"; No one voted "No".

Respectfully submitted:

ZONING AND PLANNING COMMISSION
OF THE CITY OF WEST UNIVERSITY
PLACE, TEXAS

By: _____
For the Commission

ATTACHMENT “A”

Amend Article 2, “Certain Terms” as follows:

School. ~~An establishment: (i) owned or operated by a school district or other governmental entity and used to provide public education or (ii) owned or operated by a non-governmental person under circumstances where a license or permit is in effect or required to be in effect under the Texas Education Code or any other state law pertaining in education or instructional services.~~ Facilities for educational and/or classroom purposes offering an academic curriculum that is generally equivalent to public primary, middle school, or high school levels. This includes, but is not limited to study and tutorial centers, child care and limited child care centers, and vocation and trade programs that might be incidental to the operation of such schools.

School (public). A school owned by a governmental entity having the power of eminent domain.

Amend Article 12, Section 12-103 (i), Losing PNC Status, as follows:

(i) *Passage of Time* . The following PNC items lose PNC status upon the expiration of the time periods indicated:

PNC Item	Time Period	Special Conditions
Use of a building site in an SF District for business activities	Ten years from the 1987 effective date	
Presence of more dwelling units than allowed in an SF District.	Ten years from the 1987 effective date	PNC status for space which qualifies as conforming accessory quarters is not necessarily lost.
Use of a building site by more than one family in violation of SF District use regulations	Ten years from the 1987 effective date	
Outdoor lighting in violation of Article 8	Time period ending on August 31, 2004	
Lack of special screens in violation of Article 8 (waste storage or loading)	160 months following the 1987 effective date	
Non-compliance with pervious area requirement in the C District.	Ten years following the 1987 effective date	
Non-conformance with building regulations by a canopy or similar object designed or used to shelter a motor vehicle, a boat or similarly-sized items.	Time period ending on October 1, 2008	
<u>Use of a building site, or any portion thereof, as a school without a special exception as granted by the ZBA.</u>	<u>Time period ending on May 31, 2022</u>	

Amend Section 5-100 and 5-101 regarding Building Site Designations as follows:

Section 5-100. - Requirement for building site.

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- [Compare](#)

(a) *Basic Criteria.* Every structure must be located upon a building site meeting all of the following criteria:

(1) The entire site must be contiguous and under common fee-simple ownership.

(2) The site must consist of one or more whole subdivided lots, excluding only: (i) common use areas and (ii) areas lost because of public acquisition, adverse possession, discrepancies in boundaries or similar cause.

(3) Common-use areas are excluded.

(4) The site may not include any area within another building site.

(5) The site must have the minimum dimensions prescribed by Table 5-1 and this Article.

Exception: If, after the 1987 effective date, the Z&PC approves a plan, plat or replat establishing a building site with smaller dimensions, the smaller dimensions do not violate this Ordinance.

[Building Sites containing existing lots platted with smaller dimensions shall comply with the requirements of this section.](#)

(6) The site must have a common boundary with a street area containing a constructed roadway approved and accepted by the city, or, in a QMDS, with a private street or other platted accessway.

(b) *Certain Exceptions.* This section does not apply to: (i) fences, playground equipment or landscaping structures, or (ii) non-building structures lawfully occupying street areas, easements or similar areas.

Section 5-101. - Designation of building site.[Share Link](#)

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(a) *Owner's Action.* An owner or an owner's agent may designate a building site by submitting a permit application, plat, [or legal description or other with the required city](#) document to the [City Administrative Official](#) showing a building site meeting the applicable criteria in effect at the time of the designation.

(b) *Administrative official's Action.* The administrative official shall designate building sites for existing structures, in accordance with the criteria in effect at the time the structures were built and in accordance with the apparent intent of the owners, but the administrative official may not combine two or more subdivided lots into one building site unless: (i) the configuration of the existing structures requires the combination, or (ii) the owner consents [on a form designated by the Administrative Official](#).

[\(c\) Approved site designation forms shall be filed in the Administrative Official's Office and in the Harris County Real Property Records when two or more building sites are combined or divided.](#)

Table 5-1. Building Site Dimensions		<i>General Rule:</i> This table prescribes the minimum dimensions for building sites, by District. ("DU" means "dwelling unit.") <i>Exceptions/Special Rules:</i> (1) See PDD Schedules for planned development districts. (2) See special notes in table. (3) The Z&PC may establish different dimensions by approving a plan, plat or replat (see Article 5).						
Item		Measurement	SF-1, SF-2 and SF-3		TH	GR-1	GR-2	C

New building sites (on or after October 24, 1987) <i>See Note 3.</i>	Width, minimum	75 ft.	N/A	50 ft.
	Depth, minimum	110 ft.	N/A	N/A

Table 7-2: Yards (or 'setbacks')		<i>General Rule:</i> No part of any structure may be located within a part of a building site included within a yard defined, by District, in this table. ("N/A" means the rule does not apply.) <i>Exceptions/Special Rules:</i> (1) Structures may be located in yards to the extent allowed by the Projections Schedule. (2) See special rules noted in table. (3) See PDD Schedules for Planned Development Districts. (4) See additional setbacks in the PWSF Schedule.						
Item	Measurement	SF-1	SF-2	SF-3	TH	GR-1	GR-2	C
Rear yard	Distance from rear property line.	20 ft. <i>See Note 1.</i>			20 ft. See Note 7.	5 ft. <i>See Note 7.</i>		5 ft. See Note 1
	Area, minimum	8,250 sq. ft.				2,000 sq. ft. per DU		5,000 sq. ft.

Amend Section 7 Table 7-2: Yards (or 'setbacks') as follows:

Note 1. Through Lots or Building Sites or Rear Through Lots or Building Sites. If a lot or building site extends all the way through a block so that the front and rear both abut a street area, there is no rear yard. The site is a "through" or "rear through" lot or building site, and is considered to have two front yards, one at each street frontage. Front yard (setbacks) shall be as provided in Table 7-2.

Exception: If the site is "flag" shaped or irregular, the "flag" portion shall have the same setback as the adjoining building sites fronting that street.

Amend Section 7 Table 7-5a, Note 5 as follows:

Curb cuts <i>Other regulations apply; see, e.g. Article 10 and Chapter 70 of the Code of Ordinances.</i>	Number	For SFD use: Maximum one per designated building site abutting the street. For non-SFD uses: Maximum one per 50-ft. segment of street line. <i>See Note 5.</i>

Note 5. Curb cuts. The ZBA may issue a special exception for additional curb cuts. **Exception: The Administrative Official may authorize additional curb cuts for a corner site when in compliance with the requirements for** two curb cuts for circular driveways specifically allowed by [Chapter 70](#) of the Code of Ordinances. **These additional curb cuts** are not prohibited and do not require a special exception.

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF WEST UNIVERSITY PLACE, TEXAS

AGENDA OF:	March 13, 2017	AGENDA ITEM:	4
DATE SUBMITTED:	March 1, 2017	DEPARTMENT:	Public Works
PREPARED BY:	D. Scarcella, City Planner	PRESENTER:	D. Beach, Public Works Director
SUBJECT:	Second and final Reading of an Ordinance Regarding Parking Spaces and PNC Status in the Town Center Commercial District		
ATTACHMENTS:	Proposed Ordinance		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:	N/A		
ACCOUNT NO.:	N/A		
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
ACCOUNT NO.:	N/A		

EXECUTIVE SUMMARY

A review of the 2015 enacted zoning provisions establishing the Town Center Commercial (TCC) zoning district, with a special emphasis on the parking regulations, is a stated goal of City Council.

Over the last year, the Zoning and Planning Commission (ZPC) has been discussing and reviewing the new ordinance and evaluating different ratios in order to keep the current parking issues manageable for all parties. The ZPC consulted a traffic engineer, staff conducted a parking inventory study, as well as looking at parking tables and ratios from other cities with similar parking issues to evaluate available options.

After much deliberation, the ZPC ultimately determined that the minimum number of parking spaces for new construction in the TCC district should be 7.5 spaces per 1,000 square foot for any food service establishment with dine in or outdoor eating areas and 2.5 spaces per 1,000 square foot for all other use categories. The proposed restaurant ratios are more than the parking ratios enacted in 2015 of 2.6 spaces per 1,000 feet, but less than the parking ratios prior to 2015 of 10 spaces per 1,000 square feet for food service. The 2.5 ratio is less than 5 spaces per 1,000 square feet for retail and 4 spaces per 1,000 square feet for office. City Council changed the general parking ration to 4 spaces per 1,000 square feet at the first reading of the ordinance held on February 27, 2017.

During the joint public hearing with City Council on February 13, and at the ZPC meetings held on February 13 and 16, there was discussion regarding provisions that would grant PNC status to an establishment experiencing involuntary demolition through catastrophe such as fire, hurricane, flood, etc. This PNC status would be granted through a Special Exception after a hearing with the Zoning Board of Adjustment. The proposed language is the same language as was contained in the proposal in 2015, and was taken out of the final adopted ordinance. City Council asked staff to modify the language slightly at the first reading of the ordinance on February 27, 2017. The Special Exception would still allow for similar square footage and could consider relief for number of off-street parking spaces, setbacks, and location of the building site.

RECOMMENDATION

The Zoning and Planning Commission and staff recommend the City Council approve the ordinance upon second and final reading.

**City of West University Place
Harris County, Texas**

Ordinance No. XXXX

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND CODE OF
ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS
BY CHANGING THE MINIMUM NUMBER OF REQUIRED PARKING
SPACES IN THE TOWN CENTER COMMERCIAL DISTRICT "TCC"; AND
CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE
SUBJECTS.**

WHEREAS, the City Council and the Zoning and Planning Commission ("Z&PC") of the City of West University Place, Texas ("City") have held a joint public hearing on a proposal to amend the Zoning Ordinance of the City, as last re-formatted and re-adopted by Ordinance No. 1672, adopted March 12, 2001, and as subsequently amended ("Zoning Ordinance");

WHEREAS, the Z&PC has made a final report to the City Council with respect to such proposal, which report is attached as Exhibit A and made a part of this ordinance; and

WHEREAS, the City Council has considered the report of the Z&PC as well as the City's Comprehensive Plan, and City Council formally approves and adopts the report of the Z&PC; and

WHEREAS, all notices, hearings and procedures relating to amending the Zoning Ordinance, as may be required by law, the City Charter or the Zoning Ordinance, have been duly given, held and followed, and the City Council has jurisdiction to amend the Zoning Ordinance as provided herein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF WEST UNIVERSITY PLACE:**

Section 1. The City Council officially finds, determines, declares and adopts all of the matters set out in the preamble of this ordinance, and the Zoning Ordinance is hereby amended as recommended by the Z&PC, according to the Z&PC's final report in Exhibit A, which is attached and made a part of this ordinance for all purposes.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 3. If any word, phrase, clause, sentence, paragraph, section or other part of this ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this ordinance to any other persons or circumstances, shall be affected thereby.

Section 4. The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof. The City Council officially finds, determines and declares that sufficient notices of the joint public hearing were given, and the City Council ratifies, approves and confirms such notices, including the contents and the method in which they were given.

Section 5. This ordinance shall become effective on the tenth day following its publication, as provided in the City Charter.

CONSIDERED, PASSED, AND APPROVED on first reading on February 27, 2017.

CONSIDERED, PASSED, AND APPROVED on second reading, **AND SIGNED**, on _____, 20____.

(SEAL)

Attest: _____
City Secretary

Signed: _____
Mayor

Recommended:

City Manager

Approved as to legal form:

City Attorney

Exhibit A

Zoning & Planning Commission

City of West University Place, Texas
3800 University Boulevard
West University Place, Texas 77005

February 16, 2017

Honorable Mayor & Members of the City Council
City of West University Place
3808 University Boulevard
Houston, Texas 77005

Subject: Final report on a proposal to amend the Zoning Ordinance of the City of West University Place, Texas ("City") by changing the minimum number of required parking spaces in the Town Center Commercial District "TCC".

To the Honorable Mayor & Members of City Council:

The Zoning & Planning Commission of the City submits this final report on the subject proposal, for the assistance of the Council as well as other interested persons.

Scope of Proposal. The purpose of this proposal is to amend the Zoning Ordinance by changing the number of minimum required parking spaces in the Town Center Commercial District "TCC" and also includes a special exception procedure that would allow for the continuation of PNC status for certain casualty losses in the TCC District. New zoning regulations regarding the non-single family (detached) zoning district provisions were enacted in March of 2015. Following enactment, a petition was submitted to City Council requesting revisions to the regulations, most notably regarding the minimum parking regulations in the TCC district. Revisiting these regulations to find an acceptable parking space ratio is a City Council goal for the 2015-2017 term. The Zoning and Planning Commission has been working on fine tuning and narrowing down possible solutions since then. The proposal includes amending the requirements as follows:

1. Change the number of required parking spaces for all uses other than restaurant to 2.5 spaces per 1000 square feet of gross floor area.
2. Change the number of required parking spaces for all dine in with seating food service establishments to 7.5 spaces per 1000 square feet.

3. Add language to provide for a special exception by the Zoning Board of Adjustments that would authorize a property owner to rebuild with the same square footage and allows for relief in certain cases for minimum off-street parking, building location on the site and setbacks.

Public Hearing. A public hearing with members of City Council was held on February 13, 2017 where members of the public were encouraged to make commentary regarding the proposals. Both the ZPC and City Council continued the public hearing until the next meeting.

Recommendation. Based on the review given this proposal so far, the Commission: (i) finds that the proposal, if adopted, would be in the public interest and consistent with the Comprehensive Plan, (ii) finds that the proposal reasonably addresses circumstances which have arisen since the last comprehensive revision of the zoning ordinance, (iii) makes its final recommendation favorable to the proposal, and (iv) recommends that City Council adopt the proposal.

The Vote. The vote on approval of this report was as follows: Wilson, Tsai, McEnany, Cutrer, and Kuykendall voted "aye"; Jensen and Higley voted "no".

Respectfully submitted:

ZONING AND PLANNING COMMISSION
OF THE CITY OF WEST UNIVERSITY
PLACE, TEXAS

By: _____
For the Commission

Section 10-100. Off-Street Parking.

There must be off-street parking spaces for each occupied building space within the city, as set out below, and subject to the other provisions of this ordinance:

All other types of space and uses	10.0 per 1,000 square feet of gross floor area used or occupied by people.
All types of spaces and uses in the TCC District	4.0 per 1,000 square feet of gross floor area for uses other than dine in food service with seating. 7.5 spaces per 1,000 square feet of gross floor area for food service with dine in seating. 2.60 per 1,000 square feet of gross floor area. (Applies only to principal buildings constructed after the effective date of the TCC district. Other buildings in TCC are subject to the parking requirements for C, Commercial District, uses that applied prior to the effective date of the TCC district.)

Amend Section 12-103 (c) by modifying the section as follows:

- (c) *Loss to casualty, etc.* If 51% or more of the replacement cost of a structure is lost to casualty, eminent domain, involuntary demolition or other similar cause, the structure loses PNC status. Exceptions:

This does not apply to a building used for SFR purposes, except as to non-compliance with framed area regulations (i.e., in case of such a 51% or greater loss, PNC status for non-compliance with framed area regulations is lost). For this purpose, "replacement cost" is determined by standard cost levels for similar structures as most recently published by the International Code Council or similar agency. See, e.g., the ICC internet publication of "Building Valuation Data," which provides average construction costs per square foot, by type of construction and occupancy group, with factors to modify those costs for the Houston area. The ZBA may issue a special exception to allow such a structure to be rebuilt and retain PNC status, if the ZBA finds: (i) rebuilding is necessary to avoid substantial economic waste and economic hardship, and (ii) there will be no substantial adverse effects of the rebuilt structure.

The ZBA may issue a special exception to allow a structure in the TCC district, which predated adoption of the TCC district, to be rebuilt with a square footage that is substantially the same as existed at the time of loss to casualty, etc. The TCC district and its associated standards are intended, in part, to transform the physical form and character of the Town Center commercial area from its current auto-oriented nature to a design that is more safe, convenient and appealing for pedestrians and cyclists, as well as automobiles. It is recognized that this transformation will likely occur incrementally over time through new construction or rebuilding of existing structures following a loss to casualty, etc. Therefore, in evaluating

special exception requests under this section, the ZBA shall generally aim to uphold the TCC district intent by requiring compliance with all other district standards. However, the ZBA may determine that some relief is warranted due to the circumstances of a particular building site, such as the impracticality of providing vehicular access to a rear parking area in the event that on-site parking along the Edloe Street frontage was to be relocated to the rear. In such cases the ZBA may apply an alternative level of compliance for the following TCC standards that is less than full compliance but also may be more restrictive than the condition that existed at the time of loss to casualty, etc.:

(1)Front, side and rear yards (setbacks).

(2)Location of the principal building on the site relative to the front or rear property lines.

(3)Off-street parking.

Otherwise, such a structure loses PNC status and may be replaced only by a new structure that conforms to applicable TCC standards at the time of the new construction.

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF WEST UNIVERSITY PLACE, TEXAS

AGENDA OF:	March 13, 2017	AGENDA ITEM:	5
DATE SUBMITTED:	February 28, 2017	DEPARTMENT:	Finance
PREPARED BY:	Claire Bogard, Interim Finance Director	PRESENTER:	Claire Bogard, Interim Finance Director
SUBJECT:	Fund Balance Reserve Requirements		
ATTACHMENTS:	PowerPoint Presentation		
EXPENDITURE REQUIRED:	N/A		
AMOUNT BUDGETED:	N/A		
ACCOUNT NO.:	N/A		
ADDITIONAL APPROPRIATION REQUIRED:	N/A		
ACCOUNT NO.:	N/A		

EXECUTIVE SUMMARY

During the 2017 budget workshop in August 2016, there was discussion regarding the City's fund balance reserve requirements. At the City's February 13, 2017 meeting, one of the Councilmembers requested that reserve requirements be brought back for review and discussion at the first meeting in March.

Staff will be presenting a PowerPoint outlining the City's Reserve Policies, Bond Rating Methodology, Government Finance Officer Association Best Practices and budgeted 2017 ending balances for review and discussion.

RECOMMENDATION

Review and Discussion on the City's Fund Balance Reserve Requirements.

City of West University

Overview and Discussion on Fund Balance Reserve Requirements

March 13, 2017

Outline

- Fund Balance Reserve Requirements
- General Finance Officers Association Best Practices
- Bond Rating and Rating Criteria
- Other Information
 - Survey of TML Region 14 Cities
 - Federal Financial Assistance Programs
 - Investment of Fund Balance Reserves
 - Other Budget Policies
 - Fund Balance Reserve History (hand-out)
- Staff Recommendations

Fund Balance Reserve Requirements and Best Practices

A series of horizontal lines in teal and light blue colors, with some lines having a stepped or staggered appearance, extending across the width of the slide.

Reserve Policies

- The City will maintain reserves adequate to ensure that resources are available annually for the replacement of service vehicles and equipment.
- The City will maintain financial reserves adequate to protect the community against unforeseen events.
 - **General Fund**
 - Will be maintained at 20 percent of the estimated revenue for the current Annual Budget
 - 10% of Unforeseen Events
 - 10% for Unexpected Revenue Shortfalls
 - All other operating fund reserves will be maintained at 10% of the estimated revenue for the current budget

Reserve Policies

- **Excess reserves in both the General Fund and Water/Sewer Fund have been transferred to Capital Reserve Funds to fund capital improvements with cash versus issuing debt.**
 - **Animal Control Shelter**
 - **Library Renovations**
 - **Public Works Facility Renovations**
 - **City Hall Admin and IT Renovations**
 - **Water Well Rehabilitation**
 - **Belt Press Replacement**
 - **Lift Station Renovations**
 - **Bissonnet Water Line Replacement**
 - **WWTP Clarifier Replacement**
- **There are no state requirements on excess fund balance requirements**

History of Fund Balance Reserve Policies

- 1999 – Reserve Policies incorporated into the fiscal year 2000 budget transmittal letter
 - Maintain reserves that are adequate to protect against unforeseen events. No targets were set.
 - City will maintain reserves to ensure the available replacement of vehicles and equipment (Fund established in 1998)
- 2007 – With the adoption of the 2008 budget, reserve requirements of 20% of revenues were established for the General Fund and 10% of revenues for all other operating funds.

Government Finance Officers Association(GFOA) - Best Practices

- Appropriate level of unrestricted Fund Balance in the General Fund
 - “it is essential that governments **maintain adequate levels of fund balance to mitigate current and future risks and to ensure stable tax rates**”
 - “the adequacy of unrestricted fund balance should take into account each government’s own unique circumstances”
 - Vulnerable to natural disasters
 - Volatile revenue source
 - Unfunded Mandates
 - **Changes in Legislation**

GFOA Best Practices

- Appropriate level of unrestricted Fund Balance in the General Fund
 - “**at a minimum**, general purpose governments, regardless of size, should maintain unrestricted budgetary fund balance in the general fund **of no less than 2 months of general fund operating revenues or regular general fund operating expenditures**” (16.667% of revenues)
 - “a government’s particular situation may require a level in excess of this recommended minimum level”

GFOA Best Practices

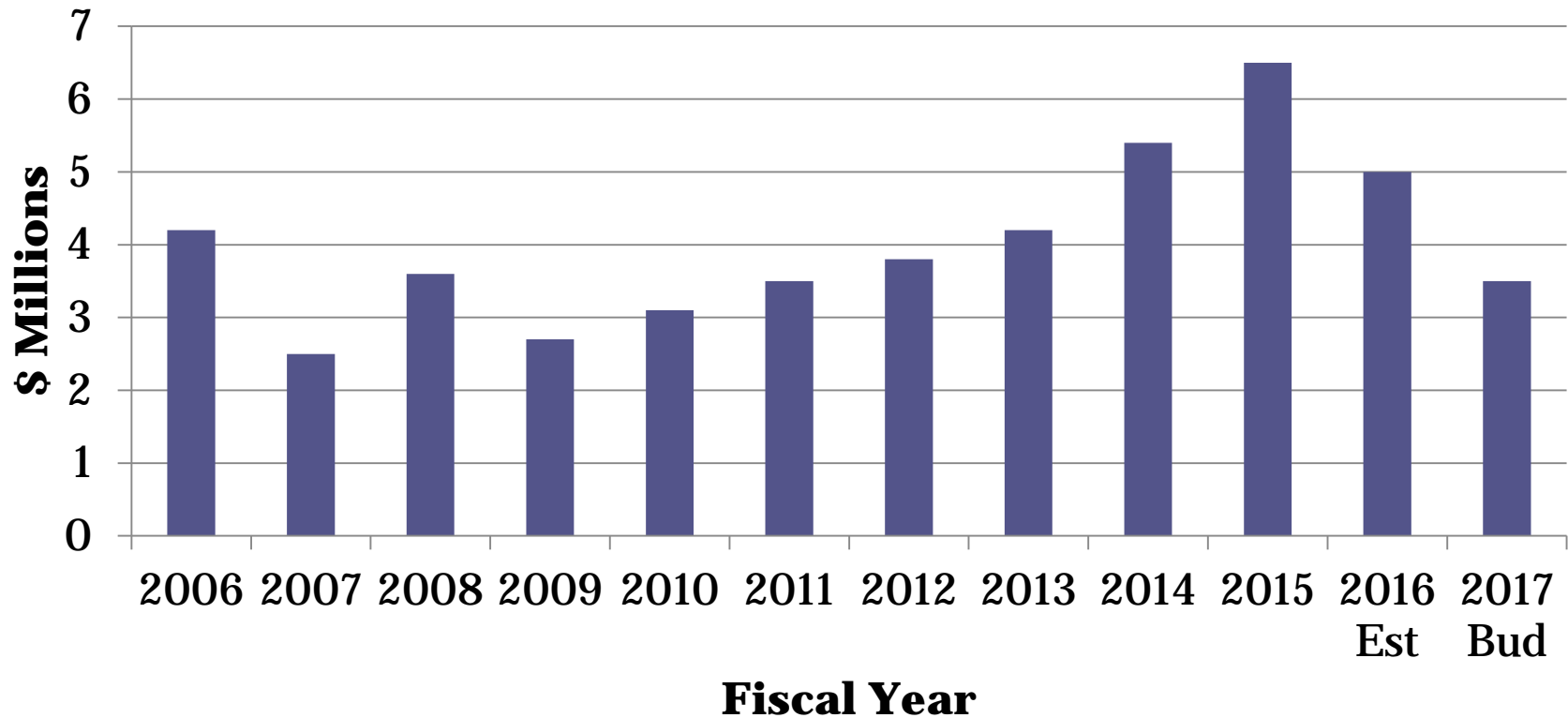
- Appropriate level of working capital in Enterprise Funds
 - “it is essential that governments **maintain adequate levels of working capital to mitigate current and future risks and to ensure stable services and fees**”
 - “the adequacy of working capital should take into account each government’s own unique circumstances”
 - Support from the General Fund
 - Transfers Out
 - Customer Concentration
 - Demand for Services
 - Asset age and condition
 - Volatility in Revenue and Expenses (weather)
 - Debt Position

GFOA Best Practices

- Appropriate level of working capital in Enterprise Funds
 - “recommends that under no circumstances should the **target for working capital be less than 45 days worth of annual operating expenses** for those enterprise funds with the least amount of need for cushion or buffer” (12.33% of expenses)

General Fund – Unassigned Fund Balance

Fund Balance



Replacement Funds

- Two replacement funds to ensure replacement of assets at end of useful life
 - **Vehicle Replacement Fund**
 - (i.e.: Cars, Trucks, Police Pursuit Vehicles, Fire Trucks, Solid Waste Trucks, Jet and Bucket Trucks, Backhoes)
 - **Equipment Replacement Fund**
 - (i.e.: SCBA's, Cardiac Monitors, Pool and Park Equipment, Fitness Equipment, Traffic and Mechanical Equipment)
- Ensures replacement vs being subject to budgetary pressures

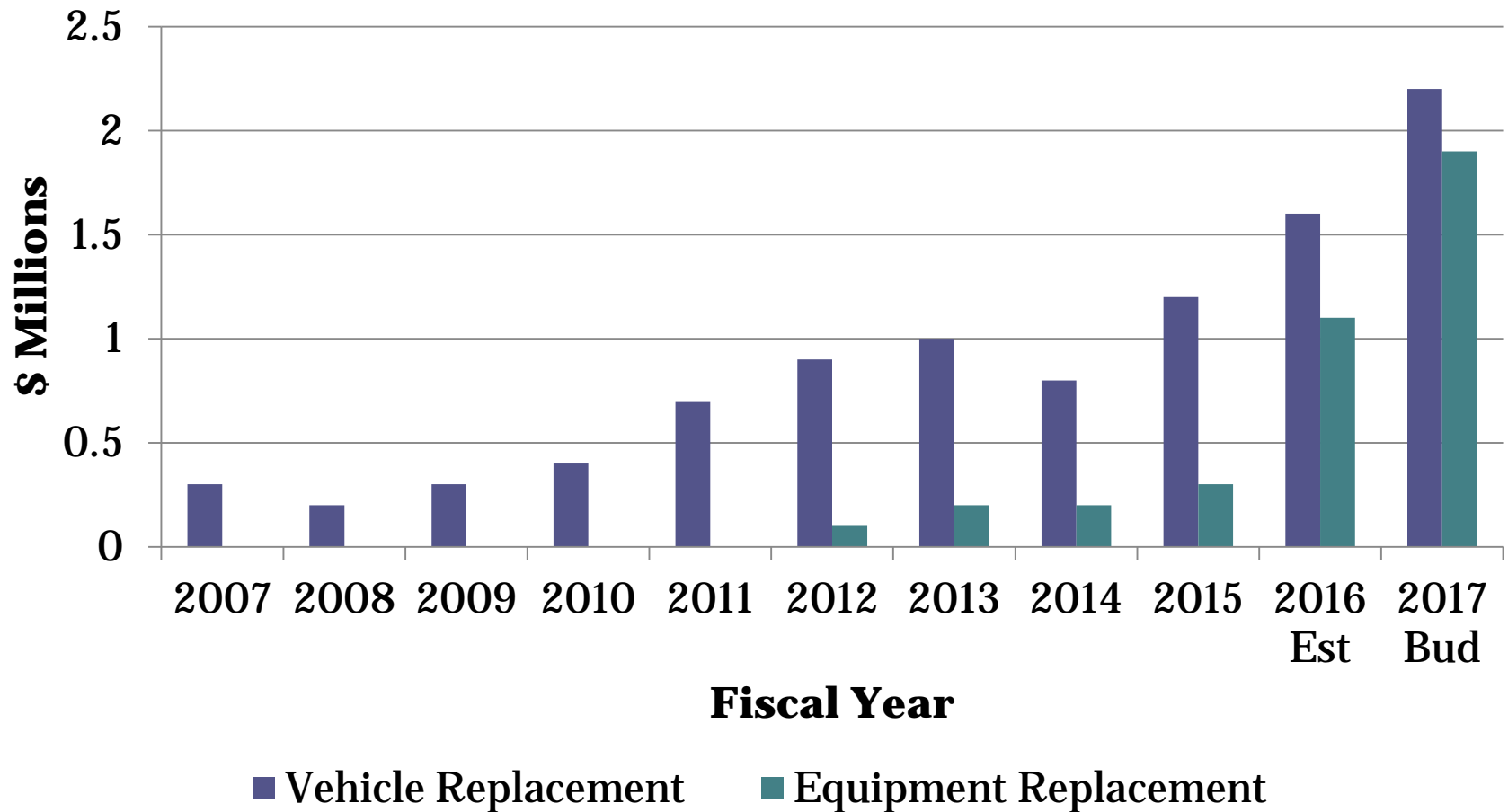
GFOA Best Practices

- **“Capital assets include....equipment and networks that enable the delivery of public sector services.** The performance and continued use of these assets is essential to the health, safety, economic development and quality of life of those receiving services.”
- **“Deferring essential maintenance or asset replacement could reduce the organizations ability to provide services** that could threaten public health, safety and overall quality of life”

GFOA Best Practices

- “Governments should therefore establish capital planning, budgeting to encourage adequate capital spending levels”
- “practices should include **proactive steps to promote adequate investment in capital maintenance and replacement** at necessary levels”

Replacement Fund - Unrestricted Net Position



Bond Rating and Rating Criteria

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2017 Budgeted Ending Balances- Financial Reserves

Fund	Budgeted Ending Fund Balance
General Fund-Unassigned Fund Balance	\$3,495,394
Vehicle Replacement Fund (Estimated \$1.3 million by 2020)	\$2,161,619
Equipment Replacement Fund (Estimated \$3.0 million by 2020)	\$1,946,717
Capital Reserve Fund	\$631,237
Water/Sewer Fund	\$722,738
Water/Sewer Capital Fund	\$6,035
Solid Waste Fund	\$165,427

City's Bond Rating

- AAA by Standard & Poor's (2013)
 - “**very strong financial reserves** with low level of funding interdependencies with the federal government”
 - “we expect the **city's financial practices and policies will allow the city to maintain its very strong financial position**”
 - “should the **city's financial reserves significantly deteriorate**, there could be downward pressure on the rating”

Bond Rating Criteria

- Financial Management accounts for 20% of the rating score
 - Decisions, policies, practices that apply to the government's financial position and operations
- Liquidity Measures accounts for 10% of the rating score
 - Cash and cash equivalents
- Budget Flexibility accounts for 10% of the rating score
 - Available Fund balances the most obvious and measurable form of flexibility (all funds legally available)
 - Raise revenues, reduce expenditures

Bond Rating Criteria

- Overriding factors include:
 - Sustained **high fund balances** – possible one notch adjustment upward
 - **Low nominal fund balances** – possible one notch adjustment downward

Bond Ordinance

Covenants

- Maintain Agency
- Maintain Tax-Exempt Status
- Remedies in Event of Default

Taxes and Revenues

- Tax Levy and Fees shall be sufficient to cover the annual principal and interest payments.

Coverage requirements

- All Water/Sewer Revenue Bonds defeased in 2016, so currently there are no bond coverage requirements
- No mention of fund balance reserve requirements for tax-backed debt.

Staff Recommendation Fund Balance Reserve Policies

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Staff Recommendations - Fund Balance Reserves

- **No change to General Fund reserve requirement**
 - **Potential Impacts**
 - State Legislature and impacts of current and future bills
 - Impact of recurring expenditures being funded with non-recurring revenues
- **Review Water/Sewer reserve requirement**
 - City's 10% reserve policy could be too low, given the impact of weather conditions on water consumption.

Other Information

Survey of TML Region 14 Cities

Federal Financial Assistance Programs

Investment of Fund Balance Reserves

Other Significant Budget Policies and Recommendation

Fund Balance Reserve History – Hand Out

Survey of TML Region 14 Cities

Minimum Reserve Requirements

October 2016

West University Place

2nd lowest reserve
requirement of 20%.
Only City to base
reserve off of
revenues.

Yellow – Anomalies
Blue – West
University Place

	General Fund		Enterprise Funds		Based on
	%	# of days	%	# of days	
Alvin	25%	90	25%	90	expenditures
Angleton	25%	91	25%	91	expenditures
Baytown	16%	60	16%	60	expenditures
Bellaire	16%	60	16%	60	expenditures
Conroe	25%	90	25%	90	expenditures
Deer Park	25%	91	25%	91	expenditures
El Campo	25%	90	25%	90	expenditures
Friendswood	25%	90	25%	90	expenditures
Fulshear	25%	90	25%	90	expenditures
Huntsville	25%	91	25%	91	expenditures
Katy	50%	183	50%	183	expenditures
LaMarque	25%	90	25%	90	expenditures
LaPorte	25%	90	25%	90	expenditures
League City	30%	110	25%	90	expenditures
Nassau Bay					No Response
Navasota	25%	90	25%	90	expenditures
Oak Ridge North	49%	180	49%	180	expenditures
Pearland	16%	60	25%	91	expenditures
Richmond	25%	90	25%	90	expenditures
Rosenberg	20%	73	20%	73	expenditures
Seabrook	25%	91	15%	55	expenditures
Shenandoah	99%	360	99%	360	expenditures
Tomball	25%	91	25%	91	expenditures
Webster	33%	120	25%	91	expenditures
West University Place	20%	73	10%	37	revenue
Average	29%	106	28%	102	
Average (less anomalies)	23%	84	23%	82	

Federal Program-FEMA

(10% reserve for unforeseen events)

- Provides public assistance to fund repairs, restoration, reconstruction or replacement of facilities or infrastructure damaged or destroyed by disaster, on a Cost Reimbursement Basis
- FEMA Categories
 - A. Debris Removal
 - B. Emergency Protective Measures
 - C. Road Systems & Bridges
 - D. Water Facilities
 - E. Public Buildings & Content
 - F. Public Utilities
 - G. Parks, Recreational, Other

Federal Program-FEMA

- Reimbursement varies based on the storm. Minimum reimbursement is 75%, leaving 25% of the cost to be funded by the state or the municipality, or combination thereof.
- Reimbursement is less insurance proceeds.
- Full reimbursement can take several years.
 - Hurricane Ike in 2008, full audit and final reimbursement received summer 2014.
 - FEMA Project Worksheet Costs \$1,051,289
 - FEMA Reimbursement \$1,043,983
 - Tropical Storm Allison in 2001
 - Facility Flooding Damage, 7 vehicles totaled
 - Cars covered by insurance
 - Did not seek FEMA public assistance

Federal Program-FHWA (Federal Highway Administration)

- Provides public assistance for the repair or reconstruction of federal highways and roads
- Federal Share
 - Interstate highways 90%
 - All other highways 80%
 - Emergency repair work to restore essential travel, minimize extent of damage in the first 180 days, 100%
 - Hurricane Ike
 - Project Cost \$71,030
 - Reimbursement \$71,030

Investment of Fund Balance Reserve Funds

Subject to the State Public Funds Investment Act and the City's Investment Policy.

- Objectives of Safety, Liquidity, Yield
- Eligible Investments as defined by the City's Investment Policy
- Maturity of Investment not to exceed three years from date of purchase.

Other Significant Budget Policies

- The city is a service organization. The most important asset of any service organization is its trained, motivated and properly led employees.
 - Compensation, including merit, updates to the compensation plan and any recommended adjustments, strategy of aligning salaries to the 75th percentile through structure and salary adjustments, and benefits.
- The city's current services to citizens are to be given priority. Increases or decreases in service levels should be clearly, prominently and separately communicated.

Other Significant Budget Policies

- All fee schedules, user charges, and charges for utility service must be reviewed and adjusted to ensure that rates are both equitable and sufficient to cover the cost of the provided service as deemed appropriate by the City Council.
- The city will avoid budget and accounting procedures that balance the current Budget at the expense of future Budgets, such as:
 - Postponement of necessary operating expenditures
 - Short-term debt to finance operating expenditures

Other Significant Budget Policies

- The city will follow long-range plans for capital improvements. A long-range plan for capital improvements must be prepared and updated each year.

Staff Recommendations - Budget Policy

- **Recurring Expenditures/Expenses funded with Recurring Revenues**
 - **Do not fund recurring expenditures with non-recurring revenues**
 - **Draw Down of Fund Balance**
- **Use of Fund Balance to be Used for Non-Recurring Expenditures/Expenses Only**
 - **Capital Projects**
 - **One-time expenditure, such as Comprehensive Plan Update, for example**

City of West University

Discussion and Questions on Reserve Requirements

March 13, 2017

FUTURE AGENDA ITEMS

Shaded items are on immediate agenda

03/13/17	Zoning Ordinance (Building Site Designations) Second and Final Reading	Matters related to an ordinance adopting proposed amendments to the Zoning Ordinance regarding building site designations; the definition of school use; curb cuts; and through lots. <i>Recommended Action: Adopt ordinance on the second and final reading. Ms. Dave Beach, Public Works Director</i>
03/13/17	Zoning Ordinance (Parking Spaces) Second and Final Reading	Matters related to an ordinance adopting proposed amendments to the zoning ordinance regarding the minimum number of parking spaces required in town center commercial district. <i>Recommended Action: Adopt ordinance on the second and final reading. Mr. Dave Beach, Public Works Director</i>
03/13/17	Concession Agreement for Colonial Park	Matters related to an agreement for concessions at Colonial Park. <i>Recommended Action: Discuss and take any desired action. Ms. Susan White, Parks and Recreation Director</i>
03/13/17	Budget Reserves Policies	Matters related to City policies regarding budget reserves. <i>Recommended Action: Discuss and take any desired action. Ms. Claire Bogard, Interim Finance Director</i>
03/13/17	City Manager Appointments	Matters related to confirming the City Manager Appointment of Susan White as Parks and Recreation Director and Marie Kalka as Finance Director. <i>Confirm appointments. Mr. M. Chris Peifer, City Manager</i>
03/27/17	Facilities Master Plan Update	Matters related to the Facilities Master Plan update. <i>Recommended Action: Discuss and take any desired action. Mr. Dave Beach, Public Works Director and Mr. Owen Rutz, Chair of the Facilities Master Plan Task Force</i>
03/27/17	Election Agreement with Harris County	Matters related to an agreement with Harris County for electronic voting equipment. <i>Recommended Action: Approve agreement with Harris County for electronic voting equipment. Ms. Thelma Gilliam, City Secretary</i>
03/27/17	Arbor Day Proclamation	Matters related to proclaiming April 8, 2017 as Arbor Day in West University Place. <i>Recommended Action: Proclaim April 8, 2017 as Arbor Day in West University Place. Mr. Craig Koehl, Urban Forester</i>
04/10/17	Liberty Hill Park	Matters related to an update on the enhancements of Liberty Hill Park. <i>Recommended Action: Receive update. Ms. Susan White, Parks and Recreation Director</i>
TBD	Scout House Lease	Matters related to approving a lease between Houston Independent School District (HISD) and the City of West University Place (City) for the City's use of the Scout House. <i>Recommended Action: Authorize the City Manager to execute the lease agreement between the City and HISD for use of the Scout House. Ms. Susan White, Parks and Recreation Director</i>
TBD	Retirement recognition for Parks and Recreation Director O'Connor	Matters related to recognition for retiring Parks and Recreation Director O'Connor. <i>Recommended Action: Discuss and take any desired action. Councilmember Reilly and Mayor Pro Tem Kelly</i>
TBD	Sister City	Matters related to a resolution authorizing a Sister City relationship with Sesak, Croatia. <i>Recommended Action: Discuss and take any desired action. Mayor Pro Tem Kelly and staff</i>

TBD	Workshop on Real Estate	Matters related a discussion regarding the City's process to purchase West U properties. <i>Discuss and take any desired action.</i> Councilmember Turner and Councilmember Reilly
TBD	Friends 2017 Projects	Matters related to funding of the Friends of West University Place Parks 2017 projects. Ms. Susan White, Parks and Recreation Director
TBD	Jennie Elizabeth Hughes Park (Approval of Final design)	Matters related to approval of the final design and authorization to proceed with construction of the Jennie Elizabeth Hughes Park. <i>Recommended Action: Approve the final design and authorize proceeding with construction of the Jennie Elizabeth Hughes Park.</i> Ms. Susan White, Parks and Recreation Director
TBD	Pier and Beams	Matters related to the City's Code of Ordinances as it relates to Pier and Beams. <i>Recommended Action: Discuss and take any desired action.</i> Mayor Sample
TBD	WU Rec Center Campus Parking Lot	Matters related to the proposed expansion of the parking lot on the ELPH Pipeline Property / West Side of the campus. <i>Recommended Action: Discuss and take any desired action.</i> Ms. Susan White, Parks and Recreation Director
TBD	Texas Ethics Commission Opinion	Matters related to a Texas Ethics Commission opinion relating to the content of articles written in <i>City Currents</i> . <i>Recommended Action: Discuss and take any desired action.</i> Councilmember Reilly
TBD	Parking Survey	Matters related to a parking survey. <i>Recommended Action: Discuss and take and desired action.</i> Mr. Dave Beach, Public Works Director
TBD	Poor Farm Ditch	Matters related to Poor Farm Ditch. <i>Recommended Action: Discuss and take any desired action.</i> Mayor Sample
TBD	Buffalo Speedway	Matters related to Buffalo Speedway Replacement Project. Mr. Chris Peifer, City Manager

3/10/2017 10:46:05 AM



The City of West University Place

A Neighborhood City

CITY COUNCIL

Susan Sample, Mayor
Bob Kelly, Mayor Pro Tem
Burt Ballanfant, Councilmember
Brennan Reilly, Councilmember
Mardi Turner, Councilmember

STAFF

M. Chris Peifer, City Manager
Alan Petrov, City Attorney
Thelma Gilliam, City Secretary

DRAFT

CITY COUNCIL MEETING ACTION MINUTES

Audio of this meeting in its entirety is on the City's website

The City Council of the City of West University Place, Texas, met in regular session on **Monday, February 27, 2017**, in the Municipal Building, 3800 University, West University Place, Texas beginning at **6:30 p.m.**

Agenda Items were as follows:

Call to Order. Mayor Sample called the meeting to order at approximately 6:30 p.m. in the Council Chambers. Council and Staff in attendance were: Mayor Pro Tem Kelly, Councilmembers Ballanfant, Reilly and Turner, City Manager Peifer, City Secretary Gilliam, City Attorney Petrov, Public Works Director Beach, Interim Finance Director Bogart, Fire Chief Taylor, and Police Chief Walker.

Councilmember Turner led the Pledge of Allegiance.

City Secretary Gilliam confirmed that the notice of this meeting was duly posted in accordance with the Texas Government Code, Chapter 551.

1. **Public Sister City**

Matters related to a presentation and discussion regarding a possible Sister City relationship with Sisak, Croatia. **Mayor Pro Tem Bob Kelly and Councilmember Brennan Reilly**

Mayor Pro Tem Kelly will get with resident Phil Berquist and staff to draft a resolution to bring back before Council.

2. **Public Comments**

This was an opportunity for citizens to speak to Council relating to agenda and non-agenda items.

3. **Public Hearings**

Continuation of the public hearings concerning proposed zoning ordinance amendments related to building site designations, curb cuts, the definition of schools, through lots and parking in the Town Center Commercial District.

Mayor Sample opened the public hearings at 6:55 p.m.

Councilmember Reilly moved to close the public hearings at 7:44 p.m. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Reilly, Turner
Noes: None

Absent: None

4. Various Proposed Zoning Ordinance Amendments

Matters related to an ordinance adopting amendments to the Zoning Ordinance regarding building site designations; the definition of school use; curb cuts; and through lots. *Recommended Action: Approve ordinance on the first of two readings.*

Councilmember Reilly moved to approve an amendment to the ordinance so that the sunset period ends on May 31, 2022, which is the end of that school year. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

Ayes: Kelly, Ballanfant, Reilly
Noes: Sample, Turner
Absent: None

Councilmember Reilly moved to adopt the proposed ordinance as amended on the first of two readings. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Reilly, Turner
Noes: None
Absent: None

5. Proposed Zoning Ordinance Amendment Relating to Town Center Parking

Matters related to an ordinance adopting amendments to the Zoning Ordinance as it relates to the minimum number of parking spaces required in the Town Center Commercial District. *Recommended Action: Approve ordinance on the first of two readings.*

Councilmember Reilly moved to amend the ordinance by striking the words “if the ZBA finds that Items (i) and (ii) above” from the first sentence of the third paragraph of Section 12-103 (c) so that the sentence will end at the period after etcetera. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Reilly, Turner
Noes: None
Absent: None

Councilmember Reilly moved to amend the parking requirements of the ordinance to change Section 10-100 under the row starting “all other types of spaces and uses in the TCC District” from 2.5 spaces per 1,000 square feet to 3.5 spaces per 1,000 square feet. Mayor Pro Tem Kelly seconded the motion.

Councilmember Reilly withdrew his motion and Mayor Pro Tem Kelly withdrew his second.

Councilmember Reilly moved to modify Section 10-100, Off-Street Parking, to replace the reference to 2.5 parking spaces to 4 parking spaces per 1,000 square feet of gross floor area for use other than dine-in food services with seating. Councilmember Turner seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Reilly, Turner
Noes: None
Absent: None

Councilmember Reilly moved that Council approve the proposed zoning ordinance amendment relating Town Center parking as amended by the two amendments approved tonight. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Reilly, Turner
Noes: None
Absent: None

6. Interlocal Agreement

Matters related to an Interlocal Agreement with Frisco, Texas, for purchasing goods and services. *Recommended Action: Approve Interlocal Agreement with Frisco, Texas for purchasing goods and services.*

Mayor Pro Tem Kelly moved to approve the Interlocal Agreement with Frisco, Texas. Councilmember Ballanfant seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Reilly, Turner
Noes: None
Absent: None

7. Future Agenda Items

Matters related to future agenda items. *Recommended Action: Discuss and take any desired action. City Council*

Councilmember Reilly requested that a discussion to be added to the next council meeting regarding more substantial recognition to retiring Parks and Recreation Director Tim O'Connor for his services to the City and for his oversight in rebuilding the City's two significant park resources. Mayor Pro Tem Kelly seconded the request.

8. Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

A. City Council Minutes

Approve City Council Minutes of February 13, 2017. *Recommended Action: Approve Minutes.*

B. Amending Section 2-133 of the Code of Ordinances

Matters related to an ordinance amending Section 2-133 of the Code of Ordinances to change City Treasurer to Finance Director. *Recommended Action: Approve ordinance amending Section 2-133 of the Code of Ordinance to change City Treasurer to Finance Director on the second and final reading.*

Councilmember Ballanfant moved to approve the Consent Agenda as presented. Mayor Pro Tem Kelly seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Reilly, Turner
Noes: None
Absent: None

9. **Adjourn**

Mayor Pro Tem Kelly moved to adjourn at approximately 8:45 p.m. Councilmember Reilly seconded the motion. **MOTION PASSED.**

Ayes: Sample, Kelly, Ballanfant, Reilly, Turner

Noes: None

Absent: None

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF WEST UNIVERSITY PLACE, TEXAS

AGENDA OF:	March 13, 2017	AGENDA ITEM:	7B
DATE SUBMITTED:	February 22 , 2017	DEPARTMENT:	Parks and Recreation
PREPARED BY:	Susan White	PRESENTER:	Susan White, PAR Director
SUBJECT: Colonial Park Pool Concessionaire			
ATTACHMENTS: Prince's Hamburgers Proposal			
EXPENDITURE REQUIRED:		N/A	
AMOUNT BUDGETED:		N/A	
ACCOUNT NO.:		N/A	
ADDITIONAL APPROPRIATION REQUIRED:		N/A	
ACCOUNT NO.:		N/A	

EXECUTIVE SUMMARY

A Request for Proposals (RFP) was published in the City's official paper on January 25 and February 1, 2017. Staff also mailed RFP notifications to 17 area restaurants. At the submittal deadline of February 21, 2017 at 11:00am, the City Secretary had received one proposal. The proposal was from Prince's Hamburgers (Prince's).

Prince's has been the City's concessionaire since the 2013 season. Upon review of Prince's proposal, and after verifying references and visiting with owner John Broussard, staff feels that Prince's would continue to be an excellent partner in providing concession and catering services to Colonial Park Pool customers. The term of the contract will be for a period of one season (2017) with an option to renew annually for a total of two additional seasons (2018 & 2019), provided both parties agree in writing to the extension.

RECOMMENDATION

Staff recommends that City Council approve the concessionaire and authorize the City Manager to execute the contract between the City of West University Place and Prince's Hamburgers for the 2017 season.

CITY OF WEST UNIVERSITY PLACE
CONTRACT FOR PROVISION OF FOOD, BEVERAGE, AND CONCESSION
SERVICES AT COLONIAL PARK SWIMMING POOL

This Contract for provision of food, beverage, and concession services (the "Contract") is entered into by and between PRINCE'S HAMBURG (hereinafter referred to as the "Concessionaire") who agrees to provide food, beverage, and concession services as an independent contractor, and not an agent or employee, at the Colonial Park Pool, located at 4130 Byron, West University Place, Texas (hereinafter referred to as the "Pool"); and the City of West University Place (hereinafter referred to as the "City") according to the terms set forth in this Contract.

I.

The Concessionaire agrees to perform the following services and to accept the following obligations during the term of the Contract:

1. **GENERAL:** The Concessionaire agrees to provide food, beverages, and concessions at the Pool according to the schedule set forth in Exhibit A and attached hereto. The services called for in this Contract shall be offered to the public at all times that a reasonable demand for such services exists, during such times which the Pool is open to the public and subject to the requirements set forth in the proposal. Where approval or direction of the City is required for items, prices or procedures not specifically covered herein, approval must be granted by the Director of Parks and Recreation of the City of West University Place (the Director), or his/her designated representative in writing, before changes are to be implemented. Special promotional price or service changes will be allowed only following approval by the City.
2. **CONCESSION EQUIPMENT FURNISHED:** The Colonial Park Pool does have a kitchen and a covered outdoor bar and serving area and a storage room immediately adjacent to the kitchen. Concessionaire will be responsible for maintaining the assigned premises and equipment in good repair and the replacement of any equipment damaged or missing through its operation. The cost of installing any new or added equipment, when approved by the city of West University Place, will be borne by the concessionaire and such equipment will be its property. At the termination of the contract, the Concessionaire may remove its own equipment, but will be responsible for leaving the premises in their original state of repair, less normal wear and tear, or replace or reimburse the city for any damaged or missing equipment assigned to the Concessionaire. This will be done to the satisfaction of the Director, or his/her designated representative, prior to releasing the Concessionaire of his sureties from obligation. City will furnish the following equipment for use by the Concessionaire: Commercial Three Compartment Sink, Natural Gas Char Broiler Grill, Commercial Ice Machine, Natural Gas Range Deep Fryer, Electric GE Freezer and 4' Stainless Steel Preparation Table. The care, service and maintenance of this equipment is the Concessionaires responsibility.

3. **ITEMS FOR SALE:** The Concessionaire agrees to charge to the public the retail prices, exclusive of any sales tax, as shown on Exhibit A attached hereto, incorporated by reference herein, and made a part hereof for all purposes. Concessionaire shall offer no other item for sale that is not on the approved price list. Initial pricing shall be in accordance with Exhibit A. The Concessionaire may add, delete or make price adjustments from time to time, provided each item and price change is approved, in writing, by the Director, or his/her designated representative prior to its offering. Chewing gum, popcorn, hard candies and tobacco products shall NOT be sold. All drinks must be served in plastic or paper product wrappers or cups, no glass allowed. With specific approval in writing the City may allow for the sale of alcohol.
4. **FOOD PROVISION EXCLUSIVE:** Food, ice or other items which are to be cooked, prepared or bagged at the Pool, cannot be sold or used at any facility other than City of West University Place owned facilities
5. **PRODUCT QUALITY AND BRAND:** Quality of all products is to be of prime consideration in the operation of this concession contract. Food, once heated, shall not be reheated at a later time and offered for sale to the public. A system shall be employed in order to maintain properly sealed products and ensure product freshness at the time it is served. Please reference Appendix A of this document and note that the Concessionaire is required to list the specific brand name of all consumable food and beverage products listed and approval must be granted by the Director, or his/her designated representative, in writing, before any changes or substitutes are to be implemented
6. **JANITORIAL SERVICE AND CLEANING:** Concessionaire must pass Health Department Inspections. Equally binding upon the Concessionaire are inspections conducted by the Director, or his/her designated representative of the facilities as deemed necessary or desirable. The concession area must be cleaned by the Concessionaire at the close of each day in order to prevent the accumulation and spoilage of food residue. The concession area must be thoroughly cleaned and sanitized within 24 hours of operation when not in continuous use. Any and all tables used by concessionaire for any reason must also be cleaned after each use. The Concessionaire and his employees are responsible for pick up of litter generated by his operation at the Pool.
7. **UNIFORMS:** All employees of the Concessionaire shall be neatly attired in clean, matching uniforms, as approved by the Director or his/her designated representative, identifying the Concessionaire. Hawkers shall prominently and professionally display the prices of the products being sold. Each employee shall be properly identified with name and/or numbered badge.

8. **SIGNS:** The number, size, and working location of advertising signs, except for identifications signs within the concession areas, must be approved by the Director of Parks and Recreation of the City of West University Place (the Director).
9. **PAYMENT:** Concessionaire will be required to pay One-Thousand Dollars (\$1,000.00) to the City of West University Place for the privilege of being the exclusive concession provider. A one-time lump sum payment will be required on or before May 31, 2017.

The Concessionaire understands that due to the fact that the Colonial Pool is an outdoor venue, there may be incidents involving inclement weather, mechanical failures, contamination incidents and emergency situations that would require the pool to close completely or partially on any given day during the season.

10. **CONCESSIONAIRE 'S LOCATIONS:** The City will furnish to the Concessionaire the sole and exclusive right to the use of concession area and storage space designated at the Pool during the term of the concession granted. The Concessionaire shall have all rights of necessary ingress and egress to these storage spaces and sales stands. The City will furnish a reserved loading/unloading zone on Byron Street, directly in front of the concession area, for the exclusive use of the Concessionaire.
11. **RIGHT OF ENTRY:** The City, its officers, agents and representatives shall be permitted to enter the said premises at all reasonable times of the day to examine the same or to make such repairs therein as shall be deemed requisite by the City. Entry keys will be provided by the City.
12. **DELIVERIES:** Deliveries of all supplies, goods, wares, merchandise and equipment shall be made at the service entrance of the Pool and a person under hire by the Concessionaire must be on hand during deliveries to receive materials.
13. **VENDING MACHINES:** Placement and location of vending machines may be made with prior written approval by the Director, or his/her designated representative. The purchase and maintenance of any vending machines will be the sole responsibility of the Concessionaire. All vending products must be approved, in writing, by the Director or his/her designated representative.

14. **CONCESSION EQUIPMENT:** The Concessionaire shall submit a complete list of equipment it proposes to furnish for the concession operation, stating brand names, model numbers, quantity, year of manufacture and other identifying data to properly outline his proposed operation layout. The Director or his/her designated representative shall approve, in writing, any placement of equipment at the Pool prior to its installation.
15. **INSTALLATION OF EQUIPMENT:** The Concessionaire shall have completed installation of all its equipment and be completely operational no later than April 1, 2017.
16. **CONCESSION EMPLOYEES:** Concessionaire is an independent contractor and will provide, at concessionaire's sole cost and expense, an adult Manager on Duty and the appropriate number of trained personnel to provide the customer services. Concessionaire's employees at the Pool shall have working knowledge of preparing and serving food to the public. All concession employees shall conduct themselves professionally both in appearance and actions to the satisfaction of the Director, or his/her designated representative.
17. **SMOKING/ALCOHOL PERMITS:** Smoking is not permitted at the Colonial Park Pool at any time by City Ordinance. Notwithstanding any other part of this agreement, alcohol permits may be issued under the authority of the Parks and Recreation Director and permitted at the Pool. Under no circumstances is alcohol to be served as a part of the normal service provision of this contract unless specifically approved in writing by the City.
18. The Concessionaire shall be the sole provider of food and beverage service for the Pool during the time that the pool is open to the public. Pool patrons will be allowed to bring in their own picnics, food and beverages during public swim times.
19. The Concessionaire and all Lessees for pool rentals, during, before or after public swim hours, will be allowed to make arrangements for food and beverage services rendered to any pool rental, without any additional charges being assessed. The City agrees to advertise on pool rental materials that the Concessionaire is willing and capable of providing these services to all of our rental customers. However, only the Concessionaire may use the facilities assigned to the Concessionaire. *The Concessionaire and all outside food and beverage service providers will be required to submit the required Certificate of Insurance and expected to fully comply with all Harris County Health Department requirements and possess the mandatory Harris County Health Department permits.*

II.

The City agrees to perform the following services and to accept the following obligations during the term of the Contract:

1. **FACILITY FURNISHED:** City of West University Place shall furnish a concession area/room with water, natural gas and electrical connections and making all equipment connections in accordance with all building and health codes, laws, statutes and ordinances.
2. **UTILITIES:** The City of West University Place will pay normal utility bills in connection with concession operation, excluding telephone service.
3. **CLEANING:** The City will provide the necessary janitorial supplies for the sanitary operation of the restrooms and other materials and supplies as may be necessary for operation of the Pool, except those materials and supplies directly related to the Concessionaire service provision. It is the responsibility of the Concessionaire to keep all assigned work and service spaces, as well as the tables used for the purpose of consuming items patrons purchase from the concession clean
4. **AUTHORITY OF THE DIRECTOR OF PARKS AND RECREATION:** The Director shall decide any and all questions which may arise as to the acceptability of services rendered and as to the manner of performance, all questions which arise as to the interpretation of the conditions and specifications, and all questions as to the acceptable fulfillment of the contract.

III.

The Concessionaire shall not assign, transfer, convey, sublet or otherwise dispose of the contract, or any part thereof, to any person, partnership, company or corporation without prior written consent of the City of West University Place.

IV.

The Concessionaire shall procure all permits and licenses, pay all charges and fees necessary and incidental to the due and lawful conduct of the services. He shall keep himself fully informed of all existing and future National, State and Local laws, ordinances and regulations that in any manner affect the fulfillment of the contract and comply with same (City of West University Place fees shall be waived).

The Concessionaire will be responsible for any and all additions and/or changes in equipment design and layout necessary to comply fully with local Health and Fire Department regulations. Additional electrical service, plumbing or drain lines shall be approved by the City of West University Place, prior to planning and installation. Actual installation shall be according to all applicable State laws, regulations and ordinances of City of West University Place. Concessionaire must also provide approved filters for any and all exhaust systems that may be utilized or installed.

V.

The Concessionaire shall provide a Business Service Bond covering every and all requirements of the contract, in the amount of \$3,000 shall be furnished concurrent with the execution of the contract. In lieu of a bond, a negotiable Certificate of Deposit from a bank in Harris County, Texas, or a Letter of Credit from a bank in Harris County, Texas may be furnished.

VI.

The **Concessionaire** agrees as its sole liability to indemnify, defend, protect, and hold harmless the City of West University Place, its officers, employees, agents and/or assigns from liability, responsibility, or losses arising out of any negligent act or omission or any willful wrongdoing on the part of the **Concessionaire** its officers, employees, agents and/or assigns.

VII.

The **Concessionaire** specifically agrees to indemnify, defend, protect and hold harmless the City of West University Place from liability, responsibility or losses arising from any and all incidents, accidents, or claims that may result from Concessionaire as operations under the terms of this contract.

The City agrees to indemnify, defend, protect, and hold harmless the **Concessionaire** from liability, responsibility, or loss arising out of any negligent act or omission or any willful wrongdoing on the part of the City or any agent or employee of the City.

VIII.

The Concessionaire shall keep and maintain during the term of this contract, a comprehensive general liability policy, with the City named as Additional Named Insured, with limits of liability of not less than One Million Dollars (\$1,000,000) combined single limit bodily injury and property damage per occurrence, with a minimum deductible of One Thousand Dollars (\$1,000) per occurrence. The Concessionaire shall furnish the City with a Certificate of Insurance evidencing such coverage. Such insurance shall include contractual liability insuring the indemnity agreements concurrent with the execution of this contract.

IX.

All salaries to be paid as a result of this contract shall include workers compensation, social security, and unemployment insurance. The actual salaries shall be paid at the discretion of the Concessionaire. The Concessionaire shall furnish to the City a certificate of insurance or other evidence showing property liability insurance coverage, general liability coverage, and workers compensation insurance coverage for its staff for the duration of the contract.

X.

The term of this contract will be for a period of one (1) season, 2017, with an option to renew annually for a total of two (2) additional seasons, 2018 & 2019, provided both parties agree in writing to the extension. If at any time, in the opinion of the City of West University Place, the **Concessionaire** has failed to render services of proper quality, or has failed in any other respect to perform as specified and intended in and by the terms of the contract, notice thereof in writing will be served; and should the Concessionaire neglect or refuse to provide means for a satisfactory compliance with the agreement, directed by the City, within the time specified in such notice, the City shall have the power to suspend the operation of the contract. Upon such suspension, the Concessionaire's control shall terminate and thereupon the City Council or its duly authorized representative may employ other parties to carry the contract to completion in such manner as the City Council may deem proper. Any excess cost arising therefrom will be charged against the Concessionaire and his sureties, who will be liable therefore. In the event of such suspension and cancellation, all money due the Concessionaire or retained under terms of the contract shall be forfeited to the City, but such forfeiture will not release the Concessionaire for his sureties from liability for failure to fulfill the contract. The Concessionaire and his sureties will be credited with the amount of money so forfeited toward any excess cost incurred, arising from the suspension of the contract and the completion of it by the City of West University Place as provided, and the Concessionaire will be credited with any surplus remaining after all just claims for such completion have been paid.

XI.

This instrument contains the entire agreement between the parties relating to the rights granted in the contract and the obligations assumed as a part of the contract. Any representations or modifications concerning this contract shall have no force or effect unless modified in writing, and signed by each party to the agreement.

XII.

If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this contract shall, for any reason, not be legally or factually valid, such invalidity shall not affect the remaining portions of this contract.

The contract shall be in force from the beginning through the end of the approved "2017 season". Being an outdoor venue, the "2017 season" is expected to be as follows:

- **April 29 & 30 (2 days)**
- **May 6,7,13, 14, 20, 21 & 26 through 30 (11 days)**
- **June 1 through 30 (30 days)**
- **July 1 through 31 (31 days)**
- **August 1st through 20, 26 & 27 (22 days)**
- **September 2, 3, 4, 9 & 16 (5 days)**

The City reserves the right to expand the Colonial Park Pool 2017 operating season, on Saturdays and Sundays only, beginning September through October, depending upon availability of part-time personnel, weather and patron demand.

The maximum number of days the pool will be open during the 2017 season is 101.

IN TESTIMONY WHEREOF, this instrument has been executed in duplicate, each to have the effect of an original as follows:

- (A) It has been executed on behalf of the City on the ____ day of _____, by its City Manager and attested by its City Secretary, pursuant to an Ordinance of the City Council of the City of West University Place, authorizing such execution; and
- (B) It has been executed on behalf of Concessionaire on the ____ day of _____, 2017, by Executive Officer of Concessionaire and attested by its Secretary, authorizing such execution.

CITY OF WEST UNIVERSITY PLACE

By: _____
M. Christopher Peifer, City Manager

ATTEST:

Thelma Gilliam, City Secretary

CONCESSIONAIRE

By: _____
Executive Officer

ATTEST:

Secretary

SPECIAL CONDITIONS AND SPECIFICATIONS

1. **EXECUTION OF CONTRACT:** The Contract shall be signed and returned by the successful offeror, together with the Contract Bond and Certificates of Insurance within ten (10) working days, after the offeror has received notice that the contract has been awarded. No proposal shall be considered binding upon the city until execution of the contract.

Failure to execute a contract and file an acceptable bond, as provided herein, within ten (10) working days, after the offeror has received notice that the contract has been awarded, shall be just cause for the cancellation of the award and forfeiture of bid bond surety.

2. **BID FORM:** No proposal will be considered unless it is accompanied by a resume of experience in the field contemplated, a list of any proposed additional equipment to be installed and business credit references, all to be filed on accompanying forms.
3. **INSTALLATION OF EQUIPMENT:** Successful offeror shall have completed installation of all equipment and be completely operational on opening day of April , 2017.
4. **FACILITIES AND EQUIPMENT:** Prospective Offeror's are invited to inspect the location and equipment and may do so during working hours by contacting the Parks and Recreation Director of the City of West University Place at (713) 662-5367.

STATEMENT OF OFFEROR'S QUALIFICATIONS

OPERATING EXPERIENCE

Please state herein the number of years and the type of business operating experience which you feel qualifies your company to operate the concessions referred to the instructions to applicants.

<u>TYPE OF OPERATION</u>	<u>YEARS</u>	<u>LOCATION</u>
Pool Concession	2013-2016	Colonial Pool West University

<u>TYPE OF OPERATION</u>	<u>YEARS</u>	<u>LOCATION</u>
Stadium Concessions	2008-2015	Rice University

<u>TYPE OF OPERATION</u>	<u>YEARS</u>	<u>LOCATION</u>
Stadium Concession	2009-2012	UNIV. of Houston

PRESENT CONCESSION OPERATION

Please list below, the auditoriums, coliseums, arenas and other buildings where your company is presently providing concession operations and how long you have been conducting such operations.

<u>LOCATION</u>	<u>YEARS</u>
SHARPSTOWN GOLF PARK	PRESENT

<u>LOCATION</u>	<u>YEARS</u>
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<u>LOCATION</u>	<u>YEARS</u>
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NAME OF FIRM SUBMITTING APPLICATION: PRINCE'S HAMBURGERS

SIGNATURE: JMRS TITLE: Gen Partner

PRESENT OTHER OPERATIONS

Please indicate below what other types of business operations your company is now operating, and the location of each operation you feel particularly qualifies your company to perform the aforementioned concession operations for the Colonial Park Pool.

LOCATION

YEARS

PRINCE'S HAMBURGERS - 3425 ELLA BLVD

2015 - PRESENT

LOCATION

YEARS

PRINCE'S CATERING CO

2001 - PRESENT

LOCATION

YEARS

NRG STADIUM - CONCESSION OUTLET

2008 - PRESENT

* SUB CONTRACT ARAMARK

REFERENCES:

Please indicate here, the names and addresses of persons in management capacity for Lessor of any of your operations for reference and recommendation.

NAME

ADDRESS

OPERATION

GERRY DONALDSON

281-794 7580

RICE UNIVERSITY

NAME

ADDRESS

OPERATION

CHRIS DEVORE

NRG STADIUM

CONCESSION/VENDING

NAME

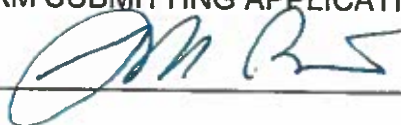
ADDRESS

OPERATION

NAME OF FIRM SUBMITTING APPLICATION:

PRINCE'S HAMBURGERS

SIGNATURE:



TITLE:

GENERAL MANAGER

OTHER QUALIFICATIONS

Please indicate on this sheet (and attached sheets if necessary) any other qualifications which you feel particularly qualifies your company to perform the concession operations set forth in the Instructions to Offerors.

NAME OF FIRM SUBMITTING APPLICATION: _____

SIGNATURE: _____ TITLE: _____

EXHIBIT A

Please indicate the items you would wish to provide and the unit price for each item as a part of this proposal. City of West University Place reserves the right to approve both prices and items contained in this list. Any changes in menu items/prices by the successful bidder, must be approved, in writing, by the Director of Parks and Recreation.

PROPOSED PRICE LIST

FOOD

	<u>PRICE</u>
Ham Burger / Cheese Burg.	6.50 - 7.50
Hot Dogs / Chili Dogs	4.00 - 5.00
Fresh Garden SALADS	5.00
Citricus Breast Sandwich	1.50
Citricus SALAD SANDWICH	6.50
Fresh Fruit / O-Rings	2.25 +
Grilled Cheese SAND	5.00
PIZZA	4.50 - 7.50
NACHOS	3.00 5.00
Fries Shrimp Basket	9.00
Turkey Breast Sandwich	7.50
Asst. Diner Specials	7.50 - 11.50
Assorted Candy	1.50 3.50
Cookies	1.50 - 3.50

BEVERAGES (suggested)

	<u>PRICE</u>
Ice (Frozen Drink)	3.00 3.50
SODA	2.25 +
Lemon Ade /	2.50 + 4.00
BOTTLED WATER	2.00
Ice Tea	2.25

NAME OF FIRM SUBMITTING APPLICATION:

Prinles Hamburgus

SIGNATURE:

TITLE:

General Partner

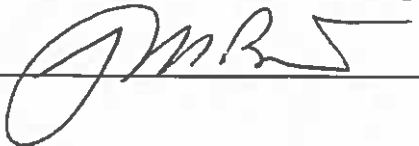
EXHIBIT A (CONTINUED)

CONCESSION ITEMS

PRICE

PRINCE'S IS PLEASED TO CONSIDER ANY ADDITIONAL
ITEMS THAT ARE REQUESTED.

NAME OF FIRM SUBMITTING APPLICATION: PRINCE'S

SIGNATURE:  TITLE: GENERAL PARTNER